

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

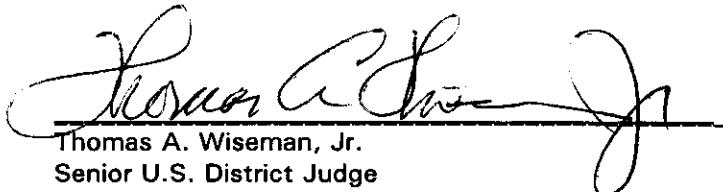
KAY A. BENNETT,)
v.) 3:05-0043
JO ANNE B. BARNHART, Commissioner of Social)
Security.)

ORDER

Before the Court is the Report and Recommendation of Magistrate Judge Brown in which he recommends Plaintiff's Motion for Judgment on the Administrative Record and Defendant's Motion for Entry of Judgment with Remand of the Case to Defendant be granted. No objections have been filed.

The Court has considered the Report and finds the same to be correct in fact and law. For the reasons set forth in the Report and Recommendation, the Motion for Judgment on the Administrative Record by the Plaintiff (Doc. #6) is hereby **GRANTED**, and Defendant's Motion for Entry of Judgment with Remand of the Case to Defendant (Doc. #10) is **GRANTED**, and the decision of the Commissioner is **REVERSED** and the cause **REMANDED** for further administrative proceedings which should include supplementation of the evidentiary record, rehearing, and the issuance of a new Administrative Law Judge decision.

It is so **ORDERED**.



Thomas A. Wiseman, Jr.
Senior U.S. District Judge